

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

In Re: DARREN D. CHAKER,

2:16-cv-00036-GMN-VCF

**ORDER DENYING MOTION FOR
RECONSIDERATION (#4)**

Before the court is Darren D. Chaker's Motion for Reconsideration (#4). On January 13, 2016, the court entered and order (#3) denying Mr. Chaker's Motion for Appointment of Counsel, because the Southern District of California has exclusive jurisdiction over Mr. Chaker with regard to his probation and supervised release.

In support of his Motion for Reconsideration, Mr. Chaker attached a copy of the U.S. District Court, Southern District of California (San Diego) Criminal Docket for Case # 3:15-cr-7012-LAB-1. Mr. Chaker references Minute Order #87, entered in that case on February 1, 2016, in which the Honorable Judge Larry Alan Burns granted defense counsel's request for transfer of jurisdiction to Las Vegas, Nevada. Judge Burns directed defense counsel to prepare the transfer order.

Mr. Chaker has not provided the court with an actual transfer order entered by Judge Burns. Additionally, "[18 U.S.C. Section 3605] gives a court discretion to order a transfer, but conditions transfer upon the acceptance of jurisdiction by the court to which the transfer is made, and upon selection of a district to which the probationer was required or permitted to proceed." *United States v. Ohler*, 22 F.3d 857, 858-59 (9th Cir. 1994). Emphasis added.

Guide to Judiciary Policy, Vol. 8E, Ch. 3, §375 mandates the procedures to be followed when transferring supervision of and/or jurisdiction over a person on probation and supervised release. Mr.

1 Chaker has not demonstrated that these procedures have been followed and that the United States District
2 Court, District of Nevada has accepted jurisdiction over or the obligation to supervise Mr. Chaker.

3 For the reasons stated above, IT IS HEREBY ORDERED THAT Darren D. Chaker's Motion for
4 Reconsideration (#4) of his Motion for Appointment of Counsel is DENIED. The Clerk is directed to
5 administratively close this case.

6 DATED this 19th day of February, 2016.

7
8 

9
10 CAM FERENBACH
11 UNITED STATES MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25